THE KANAPPATTOM BILL.

MR. A. G. MENON (*Parur*) : Sir,.....

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Sir, I rise to a point of order. Mr. Menon's motion is to beg leave to introduce the Bill. I beg to know whether the Bill is not already introduced in the House in view of the fact that it was published under Rule 29 of the Legislative Council Rules.

PRESIDENT : That has been immediately corrected by a subsequent Notification removing it from the purview of Rule 29 of the Legislative Council Rules.

MR. A. G. MENON (*Parur*) : Sir, I beg to move for leave to introduce a bill to consolidate and amend the law regarding Kanappattom tenure in Travancore. I do not think that there will be two opinions on the necessity for this bill. For the last thirteen years and more, the result of the enquiry of a committee on the subject has been before the Government and no action has practically been taken by either the non-officials or the Government to bring before this Council any measure regarding this tenure. It is for that reason I have brought in the bill in question. I suppose I am not at liberty to dwell on any provisions of the Bill or the principle of the bill itself. The practice on all occasions like this is that the motion will be allowed unopposed by any interests here.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to oppose the motion of Mr. A. G. Menon. Mr. Menon said that it is not usual to oppose a motion for leave to introduce a Bill. But the present motion comes under extraordinary circumstances and I have to oppose it. The fact that the Regulation requires amendment has been recognised on all hands and the Government are taking action in that matter. They have already prepared a bill and published it in the Gazette and it is pending further consideration at the hands of the Government.

MR. A. THANU PILLAI (*Trivandrum*): May I know when the bill was published ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It was published in the Gazette dated 25th March 1924.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know when they began to take action?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Even before that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Was it immediately after the submission of the report of the Jenmi-Kudiyan Committee ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes. It started from there. But at present the published Bill is under consideration. It is in these circumstances the present motion has been made and it will be readily seen that it is not a motion of an ordinary sort asking formally for leave to introduce a bill.

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MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): How long is it since the publication was made in the Gazette?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It was published in the Gazette dated 25th March 1924.

MR. THAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): ഗസ്റ്റിൽ പ്രസ്ദ്ധം ചെയ്യുകഴിഞ്ഞതിൽപിന്നീട് വല്ല നടപടിയും നടത്തീട്ടുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, the Government have been receiving a number of representations from the Jenmies as well as Kudiyans and Government have been considering how to compose the differences. Government are still at that. That is the reason why I say that it is under extraordinary circumstances that the present motion is being made. It is not that the Government is inactive in this matter or that the Government have not recognised that there is any necessity for the amendment of the Regulation. The Government have recognised that the Jenmies and the Kudiyans want the Regulation to be amended and they are taking action. Now then, the question is whether it is advantageous or expedient and whether it will serve the purposes of anybody if a bill is now interloped in—Mr. Menon will, I hope, excuse me for using that term—so that it may complicate the bill.....

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does it curtail the right of a non-official?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I did not and do not say that. But what I say is that it is not expedient and it will not serve the purposes of anybody, the Jenmi or the Kudiyan, that the bill which the Government want to introduce should be complicated by a private bill.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Does the Law Member say that the Government alone is competent to introduce a bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not see the occasion for any such question.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is the non-official member in order in introducing this bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I presume Mr. K. P. Nilakanta Pillai is asking for an information which presumably he is not aware of and therefore I may tell him that a non-official member is perfectly in order in seeking now for leave to introduce a bill.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does the member say that there is a bill already published?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. The Government are contemplating to introduce it with some modifications.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know how long will it take for them if they proceed at this rate?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am sure my friend Mr. Asan is not expecting an answer from me to that question. The main point for the House to consider at this stage is whether in view of the fact that the Government have got a bill under consideration it will serve anybody's purpose to bring in a bill to complicate matters. I dare say that Mr. Menon is actuated by the best of motives in trying to improve the lot of the Kudiyans and perhaps the Jenmies. But I must appeal to my friend Mr. Menon to consider this aspect of it whether a bill by a private member will have better chances of being piloted through the various stages than a bill already in the hands of Government and introduced by a Government member. It is only that aspect that I want to stress in considering this motion. I do not of course want now to discuss the merits of the bill. I am at one with Mr. Menon in thinking that there is a necessity for an amending bill and there is no difference between us on that point. The only point is whether it is expedient that a private bill should be introduced now. I would in the circumstances appeal to Mr. Menon to withdraw his motion and leave the matter in the hands of Government and bring this matter over again if the Government is not taking any action.

PRESIDENT: Mr. Govinda Menon, You have a right to reply.

MR. A. G. MENON (*Parur*): I must candidly admit that I am very much surprised at the attitude taken by Government as regards this bill. It is more than thirteen years since a committee was appointed and they submited a draft bill on this question. According to the Law Member it is now four years since a kind of a bill was drafted and published, I say a kind of a bill, because it is well-known that it is not wanted either by the Jenmi or by the Kudiyan. As matters stand, it is plain that the Government are not much interested in passing any legislation on this subject. It is both the Kudiyans and the Jenmies that feel the want of it and I have brought this measure, not because I want to get the credit of getting passed any legislation on this subject, but because I have laboured in the cause of this question and have been pressed even during the last time, six years ago, when I was a member, to bring in a bill more or less on the lines of the draft bill sent by the Committee. But at that time, owing to some assurance given by the then Head of the Administration, I was rather obliged to put off the bringing in of a bill like this.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): May I know whether the present bill is based on the bill framed by the Committee appointed in 1915.

MR. A. G. MENON (*Parur*): Certainly, and I have made a few changes.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): Was it not rejected by Government?

MR. A. G. MENON (*Parur*): Certainly not.

PRESIDENT: I do not think you can go into the merits of the case.

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MR. A. G. MENON (*Parur*): This is exactly a measure concerning the people and it is better that one of the people brings it in considering the position the Government have taken up for the last thirteen years. I think it will be more graceful on the part of the Government to give me permission without any opposition on their part. I hope they will withdraw their opposition.

PRESIDENT: Does the member press the motion to a division?

MR. A. G. MENON (*Parur*): Yes, Sir.

The question was put and the motion was declared carried.

MR. K. GEORGE (*Chief Secretary to Government*): I demand a poll.

A poll was taken with the following results :—

AYES—27.

1. Mr. V. Chellam Pillai.
2. ,, A. S. Damodaran Asan.
3. ,, A. G. Menon.
4. ,, Ittoop Itteechan.
5. ,, D. C. Joseph.
6. ,, R. Kesava Pillai.
7. ,, T. C. Kesava Pillai.
8. ,, Tamarapallil Kochutomman.
9. ,, N. R. Krishnan.
10. ,, N. K. Krishna Pillai.
11. ,, V. S. Krishna Pillai.
12. ,, Tariatu Kunjitomman.
13. ,, A. C. Kuriakose.
14. ,, K. Madhavan Pillai.
15. ,, P. S. Mahomed.
16. Mr. H. B. Mahomed Rowther.
17. ,, Matthew Murikkan.
18. ,, G. P. Nilakanta Pillai.
19. ,, K. P. Nilakanta Pillai.
20. ,, V. J. Oommen.
21. ,, Muruvelil Pachu Pillai.
22. ,, K. Padmanabha Panikkar.
23. ,, K. G. Paramesvaran Pillai.
24. ,, L. R. Raja Raja Varma Koil Tampuran.
25. ,, R. Raman Pillai.
26. ,, Revati Nal Rama Varma Raja.
27. ,, A. Thanu Pillai.

NOES—17.

1. Mr. L. A. Bishop.
2. ,, I. C. Chacko.
3. ,, R. Dhanukoti Pillai.
4. ,, K. George.
5. ,, P. Gomatinayakam Pillai.
6. ,, K. N. Kesavan Namputiripad.
7. ,, P. N. Krishna Pillai.
8. Rao Sahib Dr. N. Kunjan Pillai.
9. Mr. L. A. Lampard.
10. ,, Kayalam Paramesvaran Pillai.
11. Dr. K. Raman Tampi.
12. Mr. K. N. Ramasubba Aiyar.
13. ,, T. P. Ramasubba Aiyar.
14. Rao Bahadur K. V. Rangaswami Aiyangar.
15. Mr. S. C. H. Robinson.
16. ,, R. Vaidyalingom Pillai.
17. ,, A. Vipan.

NEUTRALS—2.

1. Mr. D. Francis.
2. Mr. S. Piraviperumal Pillai.

The question was put and the motion was declared carried, 27 voting *for*, 17 *against* and 2 *neutral*.

Permission was granted.

RESOLUTIONS.

PRESIDENT: The first resolution stands in the name of Mr. T. C. Kesava Pillai.

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